

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1065

Introduced by Suttle, 10

Read first time January 6, 2000

Committee: Transportation

A BILL

- 1 FOR AN ACT relating to the Motor Vehicle Operator's License Act; to
- 2 amend section 60-4,108, Reissue Revised Statutes of
- 3 Nebraska; to change penalty provisions relating to
- 4 operating a motor vehicle during a period of license
- 5 suspension, revocation, or impoundment; and to repeal the
- 6 original section.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-4,108, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-4,108. (1) It shall be unlawful for any person to
4 operate a motor vehicle during any period that his or her
5 operator's license has been suspended, revoked, or impounded
6 pursuant to conviction or convictions for violation of any law or
7 laws of this state or by an order of any court or by an
8 administrative order of the director or after such suspension,
9 revocation, or impoundment but before reinstatement of his or her
10 license or issuance of a new license. Except as otherwise provided
11 by law, any person so offending shall be penalized as provided in
12 subsection (2) of this section.

13 (2)(a) If such person has not had a conviction under this
14 section in the ten years prior to the date of the current
15 conviction, such person shall ~~÷ (1) For a first such offense,~~ be
16 guilty of a Class III misdemeanor, and the court shall, as a part
17 of the judgment of conviction, order such person not to operate any
18 motor vehicle for any purpose for a period of one year from the
19 date ordered by the court.

20 (b) If such person has had one conviction under this
21 section in the ten years prior to the date of the current
22 conviction, such person shall ~~÷ and (2) for each subsequent such~~
23 ~~offense,~~ be guilty of a Class III misdemeanor, and the court shall,
24 as a part of the judgment of conviction, order such person not to
25 operate any motor vehicle for any purpose for a period of two years
26 from the date ordered by the court.

27 (c) If such person has had two or more convictions under
28 this section in the ten years prior to the date of the current

1 conviction, such person shall be guilty of a Class IV felony, and
2 the court shall, as a part of the judgment of conviction, order
3 such person not to operate any motor vehicle for any purpose for a
4 period of five years from the date ordered by the court.

5 (3) Such order of the court shall be administered upon
6 sentencing, upon final judgment of any appeal or review, or upon
7 the date that any probation is revoked, whichever is later. Such
8 revocation shall not run concurrently with any jail term imposed.

9 (4) For purposes of this section, the ten-year period
10 shall be computed from the date of the prior offense to the date of
11 the offense which resulted in the current conviction and the terms
12 conviction under this section and prior conviction shall include
13 any conviction under this section as it existed at the time of such
14 conviction regardless of subsequent amendments to such section.

15 Sec. 2. Original section 60-4,108, Reissue Revised
16 Statutes of Nebraska, is repealed.